

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 04-00053 DAE
)	
Plaintiff,)	
vs.)	DECLARATION OF COUNSEL
)	
SILVER JOSE GALINDO,)	
)	
Defendant.)	

DECLARATION OF JACK SCHWEIGERT, ESQ.

I, Jack Schweigert, declare as follows:

1. I am the court-appointed counsel for Defendant Silver Jose Gilando. I make the following statements based upon my own personal knowledge unless otherwise apparent.

2. Defendant Galindo is charged in this case in a multi-count indictment that has been superceded THREE TIMES and a true and correct copy of the present indictment is attached as Exhibit 1.

3. In discovery produced in this case, there are some documents I believe the government is using to establish conduct making up counts 9, 10 & 11, but because these reports do not deal with the same incident, I am unsure which exact pattern of conduct the government intends to use for counts 9, 10 & 11. A true and correct copy of these documents are attached hereto as Exhibit 2.

4. Also in discovery produced in this case, I believe that the incident involved in Count 3 will involve events surrounding my client's arrest at an ewa beach apartment but that no gun or drugs were actually found on my client. Therefore, I need to know the factual basis for the allegations set forth in Count 3 to be able to provide an adequate defense.

5. Based on the foregoing, I believe there is a need for the government to show to the defense what are the facts that make up the allegations of counts 3, 9, 10 & 11 and who will be the witnesses.

I declare under penalty of perjury the foregoing is true and correct.

Executed in Honolulu, Hawaii this 22nd day of May, 2007.



Declarant